

Date: 8/19/98

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Pages: 5

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From: RICHARD J. BIRCH

PHONE No.: 781 237 1313

Aug. 19 1998 1:30PM P03

Practitioner's Docket No. GV-2166**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Paul Delahastita, et al

Application No.: 08 / 782,866

Group No.: 1113

Filed: 1/13/97

Examiner: M. Angebranndt

For: METHOD FOR MAKING A LITHOGRAPHIC PRINTING PLATE

Assistant Commissioner for Patents  
Washington, D.C. 20231**PETITION AND FEE FOR EXTENSION OF TIME (37 C.F.R. § 1.136(a))**

1. This is a petition for an extension of the time for a total period of 3 months to respond to Office Action of September 2, 1997

(Indicate matter being extended)

NOTE: "Extensions of Time in Patent Cases (Supplement Amendments)—If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

"If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of Dec. 10, 1985 (1061 O.G. 34-35).

NOTE: See 37 C.F.R. 1.845 for extensions of time in interference proceedings and 37 C.F.R. 1.550(c) for extensions of time in reexamination proceedings.

NOTE: An extension of time under 37 C.F.R. § 1.136(a)(1) is available unless:

"(i) Applicant is notified otherwise in an Office action;

"(ii) The reply is a reply brief submitted pursuant to § 1.193(b);

"(iii) The reply is a request for an oral hearing submitted pursuant to § 1.194(b);

"(iv) The reply is to a decision by the Board of Patent Appeals and Interferences pursuant to § 1.196, § 1.197 or § 1.804; or

"(v) The application is involved in an interference declared pursuant to § 1.611."

"Express Mail" mailing label number EH937713211Date of Deposit March 2, 1998

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to A 'Express' service" under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Name Paula E. Butler

Signature

Paula E. Butler

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## 2. A response in connection with the matter for which this extension is requested:

- ☒ is filed herewith.  
☐ has been filed.

(complete the following, if applicable)

NOTE: The PTO accepts the filing of a continuing application as a response under 37 C.F.R. 1.136 and 1.137. To facilitate processing in such a case, the petition for extension of time should specifically refer to the filing of a continuing application and also include an express abandonment of the prior application conditioned upon the granting of the petition and the granting of a filing date to the continuing application. Notice of May 13, 1983, 1031 O.G. 11-12.

- ☒ The response is the filing of a continuation application having an express abandonment conditioned on the granting of a filing date to the continuing application.

## 3. Applicant is

- ☐ a small entity. A statement:  
☐ is attached.  
☐ was already filed.  
☒ other than a small entity.

## 4. Calculation of extension fee (37 C.F.R. § 1.17(a)(1)–(5)):

<u>Extension</u> <u>(months)</u>	<u>Fee for other than</u> <u>small entity</u>	<u>Fee for</u> <u>small entity</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 400.00	\$ 200.00
<input checked="" type="checkbox"/> three months	\$ 950.00	\$ 475.00
<input type="checkbox"/> four months	\$1,510.00	\$ 765.00
<input type="checkbox"/> five months	\$2,060.00	\$1,030.00

Fee \$ 950.00

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- ☐ An extension for \_\_\_\_\_ months has already been secured. The fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ \_\_\_\_\_

## 5. Extended period for response

Based on the extension requested in this petition (and that for which a previous petition has been filed, if any), the extended period for response will expire on 9/2/98.

Date

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6. Fee Payment

NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1988; 1065 O.G. 31-33.

☒ Attached is a check in the sum of \$ 950.00

☐ Charge Account \_\_\_\_\_ for any additional extension and/or fee required or credit for any excess fee paid.

☐ Charge fee to Account No. \_\_\_\_\_. This is a request to charge for any additional extension and/or fee required or credit for any excess fee paid.

A duplicate copy of this petition is attached.

Reg. No.: 20,895

Tel. No.: ( 781) 237-1819

Customer No.:

  
SIGNATURE OF PRACTITIONER

Richard J. Birch

(type or print name of practitioner)

8 River Glen Road

P.O. Address:

Wellesley, MA 02181

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Received Event (Event Succeeded)

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Aug-19-98 02:36pm From-CONNOLLY BOVE LODGE HUTZ

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T-343 P.01/13 F-408

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**TELEFAX MESSAGE**

**DATE: August 19, 1998**

**TIME: \_\_\_\_\_**

**TO: United States Patent and Trademark Office**  
**ATT: Examiner Vollano - Art Unit**

**FROM: Ashley I. Pezzner, Esq. TELEFAX: 302 658 5614**

**NUMBER CALLED: 8 9 1 703-305-3599**

**TOTAL NO. OF PAGES (INCL. COVER)**

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GROUP 1700

A. 820, 1/2

RICHARD J. BIRCH  
ATTORNEY AT LAW8 River Glen Road  
Wellesley, MA 02181

REMITTANCE ADVICE			
3 Month Extension Fee			
Ser. No. 08/782,866			
Paul Delabastita, et al			
CV-2166			

6-39/110

3248

PAY

Nine Hundred Fifty

N/10

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TO THE ORDER OF

8/19/98

Commissioner of Patents

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NOT  
2/2/98

The dating stamp of the Patent & Trademark Office  
hereon will be taken as the date of filing of;  
Petition for Extension - \$950 fee enclosed  
CPA Application - No Filing Fee Enclosed

Ser. No. 08/782,866

Paul Delabastita, et al

METHOD FOR MAKING A LITHOGRAPHIC PRINTING PLATE

PLEASE INCLUDE SER. NO. \_\_\_\_\_

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